

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Youzhong Liu et al.

Application No.: 10/693,706

Confirmation No.: 2276

Filed: October 24, 2003

Art Unit: 2157

For: SCREEN SCRAPING INTERFACE

Examiner: E. H. M. Sall

APPEAL BRIEF

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

As required under 37 C.F.R. § 41.37(a), this brief is filed within two months of the Notice of Appeal filed in this case on August 11, 2008, and is in furtherance of said Notice of Appeal.

The fees required under 37 C.F.R. § 41.20(b)(2) are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

This brief contains items under the following headings as required by 37 C.F.R. § 41.37 and M.P.E.P. § 1206:

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I. REAL PARTY IN INTEREST

The real party in interest of the present application, solely for purposes of identifying and avoiding potential conflicts of interest by board members due to working in matters in which the member has a financial interest, is Verizon Communications Inc. and its subsidiary companies, which currently include Verizon Business Global, LLC (formerly MCI, LLC) and Celco Partnership (doing business as Verizon Wireless, and which includes as a minority partner affiliates of Vodafone Group Plc). Verizon Communications Inc. or one of its subsidiary companies is an Assignee of record of the present application.

II. RELATED APPEALS, INTERFERENCES, AND JUDICIAL PROCEEDINGS

There are no other appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in this Appeal.

III. STATUS OF CLAIMS

A. Total Number of Claims in Application

There are 28 claims pending in application.

B. Current Status of Claims

- 1. Claims canceled: 0
- 2. Claims withdrawn from consideration but not canceled: 15-17
- 3. Claims pending: 1-14, and 18-28
- 4. Claims allowed: 0
- 5. Claims rejected: 1-14, and 18-28

C. Claims On Appeal

The claims on appeal are claims 1-14, and 18-28.

IV. STATUS OF AMENDMENTS

Applicant did not file an Amendment After Final Rejection.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The following summary provides a concise explanation of the subject matter defined in each of the separately argued claims involved in the Appeal, referring to the specification by page and line number and to the drawings by reference characters, as required by 37 C.F.R. § 41.37(c)(1)(v). Each element of the claims is identified by a corresponding reference to the specification and drawings where applicable. It should be noted that the citation to passages in the specification and drawings for each claim element does not imply that the limitations from the specification and drawings should be read into the corresponding claim element. Thus, references herein to the specification are thus intended to be exemplary and not limiting.

Embodiments of the invention according to claim 1 provide a method (200 of Figure 3, text at page 20, paragraph [0046], lines 1-2) of interfacing between a client and a mainframe system comprising receiving requests for services from said client (202 of Figure 3, text at page 20, paragraph [0046], line 5); parsing said requests to obtain parsed requests (216 of Figure 3, text at page 20, paragraph [0047], line 3); obtaining service definitions (100 of Figure 2) based on said parsed requests (text at page 18, paragraph [0043], lines 2-3); executing commands (234 of Figure 3) based on said service definitions, said commands corresponding with applications recognized by said mainframe system for providing results to said requests for services (text at pages 18-19, paragraph [0043], lines 5-6); and providing said results to said client (text at pages 8-9, paragraph [0024], lines 4-5).

Embodiments of the invention according to claim 18 provide an interface (100 of Figure 1, text at page 8, paragraph [0024], lines 1-3) for interfacing a client with a mainframe system

comprising a session manager receiving requests for services (28 of Figure 1, text at page 18, paragraph [0042], lines 2-5); a message processor to parse said requests to obtain parsed requests (44 of Figure 1, text at page 18, paragraph [0042], line 9); a service processor to obtain service definitions based on said parsed requests (30 of Figure 1, text at page 18, paragraph [0043], lines 1-4); and a host connector interacting with said mainframe system and executing commands based on said service definitions (34 of Figure 1, text at page 18, paragraph [0043], lines 4-5), said commands corresponding with applications recognized by said mainframe system for providing results to said requests for services (text at pages 18-19, paragraph [0043], lines 5-6).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

- A. Claims 1-14, 18-26, and 28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,981,257 to Teubner (hereinafter "*Teubner*").
- B. Claim 27 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Teubner* in view of U.S. Pat. No. 7,016,877 to Steele et al. (hereinafter "*Steele*").

VII. ARGUMENT

Appellant respectfully traverses the outstanding rejections of the pending claims, and requests that the Board reverse the outstanding rejections in light of the remarks contained herein. The claims do not stand or fall together. Instead, Appellant presents separate arguments for various independent and dependent claims. Each of these arguments are presented with separate headings and sub-headings as required by 37 C.F.R. § 41.37(c)(1)(vii).

- A. Claims 1-14, 18-26, and 28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by *Teubner*.

To anticipate a claim under 35 U.S.C. §102, a reference must teach every element of the claim, *Verdegaal Bros. v. Union Oil Co. of Cal.*, 2 U.S.P.Q. 2d 1051, 1053 (Fed. Cir. 1987). Moreover, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, "[t]he elements must be arranged as required by the claim" (*see In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990)), and "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim" (*see Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913

(Fed. Cir. 1989)). The 35 U.S.C. § 102 rejection of record fails to establish a 35 U.S.C. § 102 rejection in accordance with the foregoing requirements.

1. Independent claim 1

Claim 1 recites “A method of interfacing between a client and a mainframe system, comprising: receiving requests for services from said client; parsing said requests to obtain parsed requests; obtaining service definitions based on said parsed requests.” *Teubner* does not disclose at least these limitations. The Examiner cites *Teubner* out of context. Specifically, at the cited portion, *Teubner* discusses that parsing of data stream occurs in the current technology of other host application access solutions and the problems of such technology that the invention strives to solve. *See Teubner*, col. 3, lines 53-64. In other words, *Teubner* indicates that parsing does not occur in its system, and thus, *Teubner* does not disclose obtaining service definitions based on said parsed requests. Moreover, *Teubner* is mainly concerned with intercepting the input and output commands of a CICS transaction and formatting the output as an XML document to present to the client. *See Teubner*, col. 4, lines 7-9. Accordingly, the cited portion of *Teubner* that discloses the acceptance of a request already contains the name of a CICS transaction and any requisite input data. *See id.* at col. 4, lines 5-9. Therefore, the cited portion does not describe “obtaining service definitions based on said parsed requests,” as recited in claim 1. Appellant has reviewed the remainder of *Teubner* and cannot locate such a teaching. Accordingly, *Teubner* does not teach all of the claimed limitations and does not show “[t]he identical invention . . . in as complete detail as is contained in the . . . claim.” *See Richardson*, 9 U.S.P.Q.2d at 1913. Therefore, Appellant respectfully asserts that for the above reasons claim 1 is patentable over the 35 U.S.C. § 102 rejection of record, and Appellant respectfully requests that the rejection of claim 1 be reversed.

2. Dependent Claims 2-3, 11-12, 19 and 20

Claims 2-3, 11-12, 19 and 20 depend from base claim 1, and thus inherits all limitations of claim 1. Claims 2-3, 11-12, 19 and 20 sets forth features and limitations not recited by *Teubner*. Thus, the Appellant respectfully asserts that for the reasons cited with respect to claim

1, claims 2-3, 11-12, 19 and 20 is also patentable over the 35 U.S.C. § 102 rejection of record, and respectfully requests reversal of the rejection of record.

3. Dependent Claim 4

Claim 4 depends from base claim 1, and thus inherits all limitations of claim 1. Claim 4 sets forth features and limitations not recited by *Teubner*. Thus, the Appellant respectfully asserts that for the reasons cited with respect to claim 1, claim 4 is also patentable over the 35 U.S.C. § 102 rejection of record, and respectfully requests reversal of the rejection of record.

In addition to the limitations of the base claim, claim 4 defines that the method of interfacing between a client and a mainframe system further comprises “obtaining said service definitions when said entitlement information indicates said parsed requests can be processed for said client.” However, at the cited portion, *Teubner* discloses the available transport mechanisms to be used to exchange requests and responses between the client and *Teubner*’s system, such as IBM MQSeries. *Teubner* col. 12, lines 64-67 and col. 4, lines 53-57. Furthermore, at column 4, the cited portion of the office action generally describes the drawings, specifically Figures 7, 7A, 7B, 8, 8A, and 8B. The text accompanying these Figures illustrate that there is no obtaining service definitions when entitlement information indicates parsed requests can be processed for clients, as recited by claim 4. According to *Teubner*, any information is already contained in the client request or is in the Context Manager. *See Teubner* col. 14 lines 33-35 and 54-57. Because every request in *Teubner* is contemplated to contain the information required by the 3270 Bridge in order to be processed, it does not provide an indication of when parsed requests can be processed. Appellant has reviewed the remainder of *Teubner* and cannot locate such a teaching. Accordingly, *Teubner* does not teach all of the claimed limitations and does not show “[t]he identical invention . . . in as complete detail as is contained in the . . . claim.” *See Richardson*, 9 U.S.P.Q.2d at 1913. Therefore, the Appellant respectfully asserts that for the above reasons, claim 4 is patentable over the 35 U.S.C. § 102 rejection of record, and respectfully requests reversal of the rejection of record.

4. Dependent Claim 5

Claim 5 depends from base claim 1 and dependent claim 4, and thus inherits all limitations of claims 1 and 4. Claim 5 sets forth features and limitations not recited by *Teubner*. Therefore, the Appellant respectfully asserts that for the reasons cited with respect to claims 1 and 4, claim 5 is also patentable over the 35 U.S.C. § 102 rejection of record, and respectfully request reversal of the rejection of record.

In addition to the limitations of the base claim, claim 5 additionally defines that the method of interfacing between a client and a mainframe system further comprises “returning an error message to said client when said entitlement information indicates said parsed requests cannot be processed for said client.” The Appellant notes that although the Examiner refers to both claims 4 and 5 in the body of the Final Action, the Examiner only addresses how *Teubner* anticipates the features recited by claim 4 and not claim 5. *See* Final Action, page 4. Because Examiner has not stated the basis for the rejection of claim 5, Appellant is unable to address such rejection. Even assuming that the Examiner, in rejecting claim 5, relies upon the same cited sections of *Teubner* for the rejection of claim 4, *Teubner* does not disclose this limitation of claim 5. As discussed with claim 4 above, every request in *Teubner* contains the necessary information for the request to be processed. Accordingly, there would not be a need for such an error message indicating that the parsed request cannot be processed. Appellant has reviewed the remainder of *Teubner* and cannot locate such a teaching. Thus, *Teubner* does not teach all of the claimed limitations. Therefore, the Appellant respectfully asserts that for the above reasons, claim 5 is patentable over the 35 U.S.C. § 102 rejection of record, and respectfully requests reversal of the rejection of record.

5. Dependent Claim 6

Claim 6 depends from base claim 1, and thus inherits all limitations of claim 1. Claim 6 sets forth features and limitations not recited by *Teubner*. Thus, the Appellant respectfully asserts that for the reasons cited with respect to claim 1, claim 6 is also patentable over the 35 U.S.C. § 102 rejection of record, and respectfully requests reversal of the rejection of record.

In addition to the limitation of the base claim, claim 6 defines that the method of interfacing between a client and a mainframe system further comprises “obtaining service definitions comprises determining if said requests for services are requests for single commands and executing commands for providing results comprises executing said single commands at an interface interfacing said client with said mainframe system when said requests for services are requests for single commands.” The Examiner cites *Teubner* as disclosing these limitations. Col. 2, lines 42-45; column 19, lines 43-48; and column 14, lines 9-13. However, *Teubner* discloses the client application or middle-tier application servers that are compatible with *Teubner’s* system, which is not the same as determining if requests for services are requests for single commands. Additionally, *Teubner* illustrates a CICS BMS transaction using a 3270 terminal wherein a user manually entering a transaction name on a screen and pressing the ENTER key on the keyboard and *Teubner* further discloses that *Teubner’s* system “returns the resulting XML document across the same pathway through which the request was received.” Col. 19, Col. 14. None of these sections disclose Applicant’s “executing commands for providing results comprises executing said single commands,” as recited in claim 6. Appellant has reviewed the remainder of *Teubner* and cannot locate such a teaching. Accordingly, *Teubner* does not teach all of the claimed limitations and does not show “[t]he identical invention . . . in as complete detail as is contained in the . . . claim.” See *Richardson*, 9 U.S.P.Q.2d at 1913. Therefore, the Appellant respectfully asserts that for the above reasons, claim 6 is patentable over the 35 U.S.C. § 102 rejection of record, and respectfully requests reversal of the rejection of record.

6. Dependent Claim 7

Claim 7 depends from base claim 1, and thus inherits all limitations of claim 1. Claim 7 sets forth features and limitations not recited by *Teubner*. Thus, the Appellant respectfully asserts that for the reasons cited with respect to claim 1, claim 7 is also patentable over the 35 U.S.C. § 102 rejection of record, and respectfully requests reversal of the rejection of record.

In addition to the limitations of the base claims, claim 7 defines that the method of interfacing between a client and a mainframe system further comprises “creating a plurality of connections with said mainframe system to form a connection pool and assigning one of said connections from said connection pool for interacting with said mainframe system when a service request is received.” The Examiner cites *Teubner* as disclosing these limitations, namely cols. 5-8, col. 19, lines 43-48. In this section, *Teubner* discloses a glossary of terms, where the description of some terms generally refers to a programming interface between CICS programs and terminal devices. *Id.* Nothing in this cited portion discusses the details of the connection between CICS programs and terminal devices. A general discussion of an interface between the program and devices is not a disclosure of a “plurality of connections with said mainframe system to form a connection pool; and assigning one of said connections from said connection pool for interacting with said mainframe system when a service request is received,” as required by claim 7. As discussed above, *Teubner* describes a user manually entering a transaction name on a screen and pressing the ENTER key on the keyboard and *Teubner* further discloses that *Teubner*’s system “returns the resulting XML document across the same pathway through which the request was received.” Such discussion by *Teubner* does not relate to the limitations of claim 7 and nothing in the cited portion discloses the claimed “formation of a connection pool and assignment of a connection in said connection pool.” Appellant has reviewed the remainder of *Teubner* and cannot locate such a teaching. Thus, *Teubner* does not teach all of the claimed limitations. Therefore, the Appellant respectfully asserts that for the above reasons, claim 7 is patentable over the 35 U.S.C. § 102 rejection of record, and respectfully requests reversal of the rejection of record.

7. Dependent Claims 8-10

Claims 8-10 depend from base claim 1 and thus inherit all the limitations of claim 1. Claims 8-10 set forth features and limitations not recited by *Teubner*. Therefore, the Appellant respectfully asserts that for the reasons cited with respect to claim 1, claims 8-10 are also patentable over the 35 U.S.C. § 102 rejection of record, and respectfully request reversal of the rejection of record.

In addition to the limitations of the base claim, claim 8 defines that the method of interfacing between a client and a mainframe system further comprises “returning said one of said connections to said connection pool when said client chooses to end a session with said mainframe system.” Likewise, claim 9 additionally defines that the method of interfacing between a client and a mainframe system further comprises “creating said plurality of connections comprises performing commands corresponding to startup sections of said service definitions; and executing commands comprises performing commands corresponding to execution sections of said service definitions.” Claim 10 additionally defines that the method of interfacing between a client and a mainframe system wherein executing commands comprises “performing commands corresponding to a close-up section of one of said service definitions to release said plurality of connections when said requests for services include a logout request.” The Appellant notes that although the Examiner refers to claims 8-10 in the body of the Final Action, the Examiner only addresses how *Teubner* anticipates the features recited by claim 7 and not claims 8-10. *See* Final Action, pages 4-5. Because the Examiner has not stated the basis for the rejection of claims 8-10, Appellant is unable to address these rejections.

Assuming that the Examiner, in rejecting claims 8-10, relies upon the same sections of *Teubner* cited for the rejection of claim 7, *Teubner* does not disclose the limitations of claims 9-10. As discussed with claim 7 above, the cited portions of *Teubner* merely mentions that there is a programming interface between CICS programs and the terminal devices, that a user can enter a transaction name, and that the resulting XML document is delivered through the same pathway that the request is received. Nothing in *Teubner* discloses “returning said one of said connections to said connection pool” nor “performing commands” as recited by claims 8-10. Appellant has reviewed the remainder of *Teubner* and cannot locate such a teaching. Thus, *Teubner* does not teach all of the claimed limitations. Therefore, the Appellant respectfully asserts that for the above reasons, claims 8-10 are patentable over the 35 U.S.C. § 102 rejection of record, and respectfully requests reversal of the rejection of record.

8. Dependent Claims 13-14

Claims 13-14 depend from base claim 1 and thus inherit all limitations of claim 1. Claims 13-14 set forth features and limitations not recited by *Teubner*. Therefore, the Appellant respectfully asserts that for the reasons cited with respect to claim 1, claims 13-14 are also patentable over the 35 U.S.C. § 102 rejection of record, and respectfully request reversal of the rejection of record.

In addition to the limitations of the base claim, claim 13 defines managing interface over the socket connection comprises “at least one of controlling access of said clients to said interface, generating said service definitions, and modifying said service definitions.” Claim 14 additionally defines managing interface over the socket connection comprises “logging activities of said interface to obtain logs; and debugging executing commands based on said logs.” The Appellant notes that although the Examiner refers to claims 13-14 in the body of the Final Action, the Examiner only addressed how *Teubner* anticipates the features recited by claim 12 and not claims 13-14. *See* Final Action, page 5. Because the Examiner has not stated the basis for the rejections of claims 13-14, Appellant is unable to address these rejections. The Examiner cites *Teubner* as satisfying the limitations of claim 12. *See* Final Action, page 5. Even assuming that the Examiner, in rejecting claims 13-14, relies upon the same sections of *Teubner* cited for the rejection of claim 12, *Teubner* does not disclose the limitations of claims 13-14. This cited portion of *Teubner* describes the steps in the initiation process wherein the request and the accompanying input data is presented to the 3270 Bridge to be executed, after which, *Teubner's* system waits for 1) the transaction to issue an out put, 2) termination of the transaction, or 3) request for an input command. Nothing in this cited portion discloses the different ways of managing an interface over the socket connection as recited by claims 13 and 14. Appellant has reviewed the remainder of *Teubner* and cannot locate such a teaching. Thus, *Teubner* does not teach all of the claimed limitations. Therefore, the Appellant respectfully asserts that for the above reasons, claims 13-14 are patentable over the 35 U.S.C. § 102 rejection of record, and respectfully requests reversal of the rejection of record.

9. Independent claim 18

Claim 18 defines an interface for interfacing a client with a mainframe system that includes “a service processor to obtain service definitions based on said parsed requests.” *Teubner* does not disclose at least these limitations. The Examiner cites *Teubner* out of context because the cited portion of *Teubner* discusses the parsing of data stream occurs in the current technology of other host application access solutions and the problems of such technology that the invention strives to solve. *See Teubner*, col. 3, lines 53-64. In other words, *Teubner* indicates that parsing does not occur in its system, and thus, *Teubner* does not teach a service processor to obtain service definitions based on said parsed request. Moreover, *Teubner* is mainly concerned with intercepting the input and output commands of a CICS transaction and formatting the output as an XML document to present to the client. *See Teubner*, col. 4, lines 7-9. Accordingly, the requests referred to in *Teubner* already contain the necessary information. *See id.* at col. 4, lines 5-9. Thus, it does not disclose obtaining service definitions based on said parsed request, as recited by claim 18. Appellant has reviewed the remainder of *Teubner* and cannot locate such a teaching. Accordingly, *Teubner* does not teach all of the claimed limitations and does not show “[t]he identical invention . . . in as complete detail as is contained in the . . . claim.” *See Richardson*, 9 U.S.P.Q.2d at 1913). Therefore, Appellant respectfully asserts that for the above reasons claim 18 is patentable over the 35 U.S.C. § 102 rejection of record, and Appellant respectfully requests that the rejection of claim 18 be reversed.

10. Dependent Claims 21-23

Claims 21-23 depend from base claim 18 and thus inherit all limitations of claim 18. Claims 21-23 set forth features and limitations not recited by *Teubner*. Therefore, the Appellant respectfully asserts that for the reasons cited with respect to claim 18, claims 21-23 are also patentable over the 35 U.S.C. § 102 rejections of record, and respectfully requests reversal of the rejections of record.

In addition to the limitations of the base claim, claim 21 additionally defines that an interface for interfacing a client with a mainframe system further comprises “a connection pool

of pre-established connections between said host connector and said mainframe system, said interface engine assigning one of said pre-established connections from said connection pool in response to said connection request.” Claim 22 additionally defines that an interface for interfacing a client with a mainframe system further comprises “a thread pool of pre-established session managers, said interface engine instantiating said session manager from one of said pre-established session managers from said thread pool.” Claim 23 additionally defines that an interface for interfacing a client with a mainframe system further comprises “a service cache to store, in said cache memory, said service definitions for said requests for services related to said connection.” The Appellant notes that although the Examiner refers to claims 21-23 in the body of the Final Action, the Examiner only addresses how *Teubner* anticipates the features recited by claim 20 and not claims 21-23. *See* Final Action, pages 5-6. Because the Examiner has not stated the basis for the rejection of claims 21-23, Appellant is unable to address such rejection.

The Examiner cites *Teubner* as satisfying the limitations of claim 20. *See* Final Action, page 6. Even assuming that the Examiner, in rejecting claims 21-23, relies upon the same sections of *Teubner* cited for the rejection of claim 20, *Teubner* does not disclose the limitations of claims 21-23. Instead, *Teubner* describes a typical request/response exchange consisting of receiving a request indicating the CICS MS transaction to be invoked, indicating to the CICS that *Teubner*'s system will handle all input and output commands issued by the transaction, the CICS BMS transaction is executed, and *Teubner*'s system process the input and output commands to generate an XML document to return to the client application. Nothing in *Teubner* discloses the limitations of claims 21-23 such as a connection of pre-established connections, the interface engine assigning a pre-established connection, a thread pool of pre-established session managers, and a service cache to store service definitions related to the connection. Appellant has reviewed the remainder of *Teubner* and cannot locate such a teaching. Thus, *Teubner* does not teach all of the claimed limitations. Therefore, the Appellant respectfully asserts that for the above reasons, claims 21-23 are patentable over the 35 U.S.C. § 102 rejection of record, and respectfully requests reversal of the rejection of record.

11. Dependent Claim 24

Claim 24 depends from base claim 1, and thus inherits all the limitations of claim 18. Claim 24 sets forth features and limitations not recited by *Teubner*. Thus, the Appellant respectfully asserts that for the reasons cited with respect to claim 18, claim 24 is also patentable over the 35 U.S.C. § 102 rejection of record, and respectfully request reversal of the rejection of record.

In addition to the limitations of the base claim, claim 24 additionally defines that an interface for interfacing a client with a mainframe system further comprises “an administrative tool for facilitating at least one of creating new service definitions and modifying existing service definitions.” The Examiner cites *Teubner* as disclosing these limitations. See Final Office Action at pg. 6. However, *Teubner* describes the steps in the initiation process wherein the request and the accompanying input data is presented to the 3270 Bridge to be executed, after which, *Teubner's* system waits for 1) the transaction to issue an out put, 2) termination of the transaction, or 3) request for an input command. In other words, the *Teubner's* system simply introduces the request to the CICS server and processes the input and output commands issued by the server and is incapable of creating or modifying any service definitions. Appellant has reviewed the remainder of *Teubner* and cannot locate such a teaching. Thus, *Teubner* does not teach all of the claimed limitations. Therefore, the Appellant respectfully asserts that for the above reasons, claim 24 is patentable over the 35 U.S.C. § 102 rejection of record, and respectfully requests reversal of the rejection of record.

12. Dependent Claim 25

Claim 25 depends from base claim 18, and thus inherits all limitations of claim 18. Claim 25 sets forth features and limitations not recited by *Teubner*. Thus, the Appellant respectfully asserts that for the reasons cited with respect to claim 18, claim 25 is also patentable over the 35 U.S.C. § 102 rejection of record, and respectfully requests reversal of the rejection of record.

In addition to the limitations of the base claim, claim 25 defines that the administrative tool of an interface for interfacing a client with a mainframe system further comprises “a socket connection communicating administrative requests to said interface.” The Appellant notes that although the Examiner refers to claim 25 in the body of the Final Action, the Examiner only addresses how *Teubner* anticipates the features recited by claim 24 and not claim 25. *See* Final Action, page 6. Because the Examiner has not stated the basis for the rejection of claim 25, Appellant is unable to address this rejection.

13. Dependent Claim 26

Claim 26 depends from base claim 18, and thus inherits all limitations of claim 18. Claim 26 sets forth features and limitations not recited by *Teubner*. Thus, the Appellant respectfully asserts that for the reasons cited with respect to claim 18, claim 26 is also patentable over the 35 U.S.C. § 102 rejection of record, and respectfully requests reversal of the rejection of record.

In addition to the limitations of the base claim, claim 26 defines that an interface for interfacing a client with a mainframe system further comprises “a command processor to execute administrative commands based on said requests for services when said requests for services are requests for a single command.” The Examiner cites *Teubner* as disclosing these limitations. However, the marked portion of *Teubner* is an illustration of a sample CICS BMS transaction using a 3270 terminal wherein a user manually entering a transaction name on a screen and pressing the ENTER key on the keyboard and *Teubner* further discloses that *Teubner*’s system “returns the resulting XML document across the same pathway through which the request was received.” *Teubner* does not disclose administrative commands, let alone a command processor to execute administrative commands based on said requests for services. Appellant has reviewed the remainder of *Teubner* and cannot locate such a teaching. Accordingly, *Teubner* does not teach all of the claimed limitations. Therefore, the Appellant respectfully asserts that for the above reasons, claim 26 is patentable over the 35 U.S.C. § 102 rejection of record, and respectfully requests reversal of the rejection of record.

14. Dependent Claim 28

Claim 28 depends from base claim 18, and thus inherits all limitations of claim 18. Claim 28 sets forth features and limitations not recited by *Teubner*. Thus, the Appellant respectfully asserts that for the reasons cited with respect to claim 18, claim 28 is also patentable over the 35 U.S.C. § 102 rejection of record, and respectfully request reversal of the rejection of record.

- B. Claim 27 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Teubner* in view of U.S. Pat. No. 7,016,877 to Steele et al. (hereinafter “*Steele*”).

The test for non-obvious subject matter is whether the differences between the subject matter and the prior art are such that the claimed subject matter as a whole would have been obvious to a person having ordinary skill in the art to which the subject matter pertains. The United States Supreme Court in *Graham v. John Deere and Co.*, 383 U.S. 1 (1966) sets forth the factual inquiries which must be considered in applying the statutory test: (1) determining of the scope and content of the prior art; (2) ascertaining the differences between the prior art and the claims at issue; and (3) resolving the level of ordinary skill in the pertinent art. As discussed further hereafter, Appellant respectfully asserts that the claims include non-obvious differences over the cited art. Therefore, the rejection must address all the limitations of the claims. Moreover, an explicit analysis supporting any rationale why a person skilled in the art would combine the prior art must be provided. *KSR Int'l. v. Teleflex Inc.*, 127 S. Ct. 1727, 1741, 82 USPQ 2d 1385, 1396 (2007).

Claim 27 depends from base claim 18, and thus inherits all limitations of claim 18. Claim 18 sets forth features and limitations not recited by the combination of *Teubner* and *Steele*. Thus, the Appellant respectfully asserts that for the reasons cited with respect to claim 18, claim 27 is also patentable over the 35 U.S.C. § 103 rejection of record.

Additionally, the Examiner's combination lacks an explicit analysis supporting any rationale. The Examiner states that one would be motivated to combine *Steele* with *Teubner* to “allow monitoring transactions.” Current Action at pg. 8. However, neither *Teubner* nor *Steele*

suggest such a rationale, nor is it apparent as to how such a rationale could be accomplished by the combination of *Steele* and *Teubner*. *Steele* describes an authentication process to retrieve account information, while a feature of *Teubner* uses a password to authenticate a system user. See *Steele*, Abstract; *Teubner*, col. 14, lines 49-50. Since *Teubner* already has a method to authenticate a user, it unclear as to why a person skilled in the art would combine the two references. As to the Examiner's stated rationale of monitoring transactions, neither *Teubner* nor *Steele* describe a process for monitoring transactions. Furthermore, the Examiner fails to provide any analysis to support a rationale as to why a person skilled in the art would combine *Steele* with *Teubner*. For these additional reasons, the Appellant respectfully asserts that claim 27 is patentable over the 35 U.S.C. § 103 rejection of record, and respectfully request reversal of the rejection of record.

VIII. CLAIMS APPENDIX

A copy of the claims involved in the present appeal is attached hereto as Appendix A.

IX. EVIDENCE APPENDIX

No evidence pursuant to §§ 1.130, 1.131, or 1.132 or entered by or relied upon by the examiner is being submitted.

X. RELATED PROCEEDINGS APPENDIX

No related proceedings are referenced in II. above, hence copies of decisions in related proceedings are not provided.

Dated: October 14, 2008

Respectfully submitted,

Appeal Brief
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CLAIMS APPENDIX

1. A method of interfacing between a client and a mainframe system, comprising:
receiving requests for services from said client;
parsing said requests to obtain parsed requests;
obtaining service definitions based on said parsed requests;
executing commands based on said service definitions, said commands corresponding with applications recognized by said mainframe system for providing results to said requests for services; and
providing said results to said client.
2. A method according to claim 1, wherein receiving said requests for services comprises:
receiving a connection request from said client; and
instantiating a session manager to receive said requests for services.
3. A method according to claim 2, comprising pre-establishing a plurality of session managers, wherein instantiating comprises instantiating one of said plurality of session managers.
4. A method according to claim 1, comprising:
retrieving entitlement information related to said client; and
obtaining said service definitions when said entitlement information indicates said parsed requests can be processed for said client.
5. A method according to claim 4, comprising returning an error message to said client when said entitlement information indicates said parsed requests cannot be processed for said client.

6. A method according to claim 1, wherein:
obtaining service definitions comprises determining if said requests for services are requests for single commands; and
executing commands for providing results comprises executing said single commands at an interface interfacing said client with said mainframe system when said requests for services are requests for single commands.
7. A method according to claim 1, comprising:
creating a plurality of connections with said mainframe system to form a connection pool; and
assigning one of said connections from said connection pool for interacting with said mainframe system when a service request is received.
8. A method according to claim 7, comprising returning said one of said connections to said connection pool when said client chooses to end a session with said mainframe system.
9. A method according to claim 7, wherein:
creating said plurality of connections comprises performing commands corresponding to startup sections of said service definitions; and
executing commands comprises performing commands corresponding to execution sections of said service definitions.
10. A method according to claim 9, wherein executing commands comprises performing commands corresponding to a close-up section of one of said service definitions to release said plurality of connections when said requests for services include a logout request.

11. A method according to claim 1, comprising:
specifying identifiers for screens of said mainframe system; and
specifying actions to be taken with respect to said screens to generate said service definitions, said actions including one of receiving said requests for services and providing said results.

12. A method according to claim 1, comprising:
opening a socket connection to an interface to facilitate interfacing with said mainframe system; and
managing said interface over said socket connection.

13. A method according to claim 12, wherein managing comprises at least one of controlling access of said clients to said interface, generating said service definitions, and modifying said service definitions.

14. A method according to claim 12, wherein managing comprises:
logging activities of said interface to obtain logs; and
debugging executing commands based on said logs.

15. A computer-readable medium containing instructions for controlling a computer to perform screen-based navigation for interfacing a client with a mainframe system, said instructions controlling a computer to:

- define at least one service in a string based command language, said at least one service including at least one mainframe screen interaction;

- receive eXtensible Markup Language (XML) requests from said client;

- parse said requests into string based command language requests;

- determine said at least one service corresponding to said string based command language requests to obtain service script corresponding to said at least one service;

- establish a connection to said mainframe system;

- execute said service script on said mainframe system to perform said at least one mainframe screen interaction corresponding with said service;

- generate results for said at least one mainframe screen interaction in XML format; and

- present said results to said client.

16. A computer-readable medium according to claim 15, containing instructions for controlling a computer to:

- create a plurality of connections to form a connection pool when said instructions control a computer to define at least one service; and

- assign one of said plurality of connections from said connection pool to establish said connection to said mainframe system.

17. A computer-readable medium according to claim 16, containing instructions for controlling a computer to:

separate said at least one service into a startup section, an execution section and a close-up section when said instructions control a computer to define at least one service;

execute said startup section when said instructions control a computer to create a plurality of connections;

execute said execution section when said instructions control a computer to execute said service script on said mainframe system;

return said one of said plurality of connections to said connection pool when said instructions control a computer to receive an XML request to end a session; and

execute said close-up section to release said plurality of connections when said instructions control a computer to receive an XML request to logout from said mainframe system.

18. An interface for interfacing a client with a mainframe system, comprising:
a session manager receiving requests for services;
a message processor to parse said requests to obtain parsed requests;
a service processor to obtain service definitions based on said parsed requests; and
a host connector interacting with said mainframe system and executing commands based on said service definitions, said commands corresponding with applications recognized by said mainframe system for providing results to said requests for services.

19. An interface according to claim 18, comprising:
a database for storing a plurality of service definitions; and
a storage manager communicating with said service processor and retrieving from said database said service definitions based on said parsed requests.

20. An interface according to claim 18, comprising an interface engine to listen for a connection request and instantiate said session manager to receive said requests for services related to said connection request.

21. An interface according to claim 20, comprising a connection pool of pre-established connections between said host connector and said mainframe system, said interface engine assigning one of said pre-established connections from said connection pool in response to said connection request.

22. An interface according to claim 20, comprising a thread pool of pre-established session managers, said interface engine instantiating said session manager from one of said pre-established session managers from said thread pool.

23. An interface according to claim 20, comprising:
a cache memory; and
a service cache to store, in said cache memory, said service definitions for said requests for services related to said connection.

24. An interface according to claim 18, comprising an administrative tool for facilitating at least one of creating new service definitions and modifying existing service definitions.

25. An interface according to claim 24, wherein said administrative tool comprises a socket connection communicating administrative requests to said interface.

26. An interface according to claim 18, comprising a command processor to execute administrative commands based on said requests for services when said requests for services are requests for a single command.

27. An interface according to claim 18, comprising an authenticator containing access privilege information for said client, said access privilege information for determining if a client inputting said requests for services is authorized to have said service processor obtain said service definitions based on said parsed requests.

28. An interface according to claim 18, comprising a logging service to log activities of said interface.

APPENDIX B

No evidence pursuant to §§ 1.130, 1.131, or 1.132 or entered by or relied upon by the Examiner is being submitted.

APPENDIX C

No related proceedings are referenced in II above, hence copies of decisions in related proceedings are not provided.